

1 James D. Panetta, D.O.
2 2336 West Berridge Lane
3 Phoenix, AZ 85015

4 Copies of the foregoing "Termination of Consent
5 Agreement for Findings of Fact, Conclusions of Law,
6 and Order of Probation" sent via regular
7 mail this 25th day of OCTOBER, 2006 to:

8 Blair Driggs, AAG
9 Office of the Attorney General CIV/LES
10 1275 West Washington
11 Phoenix AZ 85007


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1 the State of Arizona; and, therefore, said admissions by Respondent are not intended for any
2 other purpose or administrative regulatory proceeding or litigation in another state or federal
3 court.

4 7. Respondent acknowledges and agrees that upon signing and returning this
5 document (or a copy thereof) to the Board's Executive Director, he may not later revoke or
6 amend this Consent Agreement, without first obtaining Board approval.

8 REVIEWED AND ACCEPTED THIS 12th DAY OF March 2006.

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12 James D. Panetta, Respondent

13 **JURISDICTIONAL STATEMENTS**

14 1. The Board is empowered, pursuant to A.R.S. §§ 32-1800 et seq. to regulate the
15 licensing and practice of osteopathic medicine in Arizona.

16 2. The Board has the authority to enter into a final disposition in this case by
17 stipulation, agreed settlement, consent order or default pursuant to A.R.S. § 41-1092.05 (F)(5).

18 3. Respondent holds license Permit No. R702 to practice osteopathic medicine in
19 Arizona.

20 **FINDINGS OF FACT**

21 4. On November 23, 2005, the Board received information from Banner Good
22 Samaritan Medical Center that the Respondent had failed a drug screening that had been
23 conducted by the hospital's Department of Occupational Health. Banner reported this incident
24 pursuant to the provisions of A.R.S. § 32-1855 (A).

25 5. On December 20, 2005, the Respondent was evaluated by the Betty Ford Center.

1 The Betty Ford Center recommended 90 days of residential treatment for Cocaine dependence.

2 6. On or about December 22, 2005 the Board sent a subpoena to Banner Good
3 Samaritan Hospital requesting the production of records in this matter.

4 7. On January 9, 2006 the Board's Executive Director discussed this matter with the
5 Respondent. During that conversation Dr. Panetta stated that he was not actively participating in
6 any recovery or treatment program as recommend by the Betty Ford Center

7 8. On January 20, 2006, the Board received Dr. Panetta's response to this complaint
8 and allegations. In this response, the Respondent admits to his dependency and states his
9 willingness to enter into a rehabilitation program.

10 9. On February 10, 2006, the Board ordered the Respondent to complete a biological
11 fluid test which he completed on February 14, 2006. The test results were negative.

12 10. On February 15, 2006, the Board received information from the hospital that
13 confirmed that the Respondent had tested positive for a "cocaine metabolite" on November 14,
14 2005.

15 11. The Respondent had previously self reported a possible addiction situation to both
16 the hospital and the Board and was being monitored by a private program until the time of this
17 incident.

18 CONCLUSIONS OF LAW

19 1. Pursuant to A.R.S. § 32-1800, et seq. the Arizona Board of Osteopathic
20 Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

21 2. The conduct and circumstances described in paragraphs 4 through 11 above
22 constitute unprofessional conduct as defined in the following paragraphs of A.R.S. § 32-1854:

23 (3) Practicing medicine while under the influence of alcohol, narcotic or hypnotic
24 drugs or any substance that impairs or may impair the licensee's ability to safely and
25 skillfully practice medicine.

1 (6) Engaging in the practice of medicine in a manner that harms or may harm a
2 patient or that the Board determines falls below the community standard.

3 (38) Any conduct or practice that endangers a patient's or the public's health or may
4 reasonably be expected to do so.

5 **ORDER**

6 1. IT IS HEREBY ORDERED that Permit R702 held by James D. Panetta, D.O.,
7 ("Respondent") shall be SUSPENDED until such time as he enters and successfully completes
8 an in-patient treatment program. Suspension shall begin on the effective date of this Order and
9 shall remain in force and effect until such time as the Board terminates this Order.



ISSUED THIS 22 DAY OF MARCH, 2006.

STATE OF ARIZONA
BOARD OF OSTEOPATHIC EXAMINERS IN
MEDICINE AND SURGERY

By: _____

Jack Confer, Executive Director

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17 Original "Consent Agreement for
18 Findings of Fact, Conclusions of Law,
19 and Order of Probation" filed this 22nd
day of MARCH, 2006 with the:

20 Arizona Board of Osteopathic Examiners
21 In Medicine and Surgery
22 9535 East Doubletree Ranch Road
Scottsdale AZ 85258-5539

23 Copy of the foregoing "Consent Agreement for
24 Findings of Fact, Conclusions of Law,
25 and Order of Probation" sent via certified,
return receipt requested this 22nd
day of MARCH, 2006 to:

1 James D. Panetta, D.O.
2 10632 W Coronado Rd
3 Avondale, AZ 85323

4 Copies of the foregoing "Consent Agreement for
5 Findings of Fact, Conclusions of Law,
6 and Order of Probation" sent via regular
7 mail this 22ND day of MARCH, 2006 to:

8 Blair Driggs, AAG
9 Office of the Attorney General CIV/LES
10 1275 West Washington
11 Phoenix AZ 85007

